

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOSHUA HU et al., individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

BMW OF NORTH AMERICA LLC, a
Delaware corporation; and BAYERISCHE
MOTOREN WERKE
AKTIENGESELLSCHAFT (BMW AG), a
corporation organized under the laws of
Germany, ROBERT BOSCH GMBH, a
corporation organized under the laws of
Germany; and ROBERT BOSCH LLC, a
Delaware Limited Liability Company,

Defendants.

Civil Action No. 2:18-cv-04363 (JMV)(MF)

Motion Date: October 15, 2018

ELECTRONICALLY FILED

ORAL ARGUMENT REQUESTED

**DEFENDANT ROBERT BOSCH LLC'S NOTICE OF MOTION AND MOTION TO
DISMISS PLAINTIFFS' CONSOLIDATED CLASS ACTION COMPLAINT**

CLEARY GOTTlieb STEEN & HAMILTON LLP

Jeffrey A. Rosenthal
Carmine D. Boccuzzi, Jr.
One Liberty Plaza
New York, NY 10006
(212) 225-2000

Matthew D. Slater
2000 Pennsylvania Ave., N.W.
Washington, D.C. 20006
(202) 974-1500

Counsel for Defendant Robert Bosch LLC

PLEASE TAKE NOTICE that, pursuant to Local Rule 7.1, on October 15, 2018 or at such other date as may be agreed upon or ordered, at the United States District Court for the District of New Jersey, located at 50 Walnut Street, Newark, New Jersey, Defendant Robert Bosch LLC will and hereby does move this Court to dismiss the Plaintiffs' Consolidated Class Action Complaint and Demand for Jury Trial, ECF No. 26.

PLEASE TAKE FURTHER NOTICE that this Motion is made pursuant to Rules 9(b), 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and is based on this Notice of Motion, accompanying Memorandum of Law, all pleadings and papers filed herein, oral argument, if any, and any other matter that may be submitted at any hearing of this Motion. A proposed form of Order is also submitted.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Respectfully Submitted,

CLEARY GOTTlieb STEEN & HAMILTON LLP

Dated: August 17, 2018

By: /s/ Jeffrey A. Rosenthal
Jeffrey A. Rosenthal
Carmin D. Boccuzzi, Jr.
One Liberty Plaza
New York, NY 10006
Tel. (212) 225-2000
Fax: (212) 225-2086
jrosenthal@cgsh.com

Matthew D. Slater
2000 Pennsylvania Avenue NW
Washington, DC 20006
Tel. (202) 974-1500
Fax: (202) 974-1999
mslater@cgsh.com

Counsel for Defendant Robert Bosch LLC